

Pashman Stein Partner J. John Kim Files Complaint and Jury Demand Against L'Oreal USA, Inc. and Bloomingdale's Inc. Alleging Civil Rights Act Violations

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J. John Kim, Esq. of Pashman Stein Walder Hayden, filed a complaint and jury demand on December 13, 2018 (amended complaint filed March 8, 2019), against L'Oreal USA, Inc. and Bloomingdale's Inc. on behalf of plaintiff Hye Sun ("Jennifer") Kang, alleging discrimination based on race, ethnicity or national origin in violation of the Civil Rights Act and the New York State Human Rights Law, as well as negligent misrepresentation against Bloomingdale's Inc.

The plaintiff, who is of Korean descent but grew up in Tenafly, NJ, was a sales associate for L'Oreal and worked at the Bloomingdale's in New York City. Without any warning or notice, in April of 2017 she was detained by the Bloomingdales Asset Protection department, accused of being part of a Chinese criminal fraud ring with a Chinese client, and was forced to sign a written statement that she had violated company policies, after being told exactly what to write. Upon exiting the room, she was immediately confronted by NYPD who arrested, charged and processed her, and she spent the night in a prison holding cell. With no criminal history whatsoever, she was transferred to jail at Riker's Island, where she spent 12 hours in prison, while her family scrambled to post her bail.

Months later, the DA unilaterally dropped all charges against Ms. Kang, presumably when they discovered that she was not of Chinese descent and was not involved in any fraudulent scheme with the Chinese client of Bloomingdale's. Despite the DA's action, she was terminated from her employment, and now has an unjustified arrest on her previously spotless record. Ms. Kang feels that she was singled out and targeted because she was of Asian descent. Her co-workers, who also sold products to the same Chinese client, were not questioned, arrested, or fired. She is seeking damages against both L'Oreal and

Bloomington.

The complaint can be accessed here.